

1 EVAN R. CHESLER (*pro hac vice*)
2 PETER T. BARBUR (*pro hac vice*)
3 ELIZABETH L. GRAYER (*pro hac vice*)
4 CRAVATH, SWAINE & MOORE LLP
5 825 Eighth Avenue
6 New York, NY 10019
7 Telephone: (212) 474-1000
8 Facsimile: (212) 474-3700
9
5 WILLIAM S. BOGGS (Bar No. 053013)
6 BRIAN A. FOSTER (Bar No. 110413)
7 TIMOTHY S. BLACKFORD (Bar No. 190900)
8 DLA PIPER US LLP
9 401 B Street, Suite 1700
8 San Diego, CA 92101-4297
9 Telephone: (619) 699-2700
9 Facsimile: (619) 699-2701

10 Attorneys for Defendant
QUALCOMM INCORPORATED

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

14 JESSE MEYER, an individual, on his own
15 behalf and on behalf of all similarly
situated.

16 Plaintiff

17

18 **QUALCOMM INCORPORATED, a**
 Delaware corporation.

19 Defendant.

Case No. 08cv0655-WQH (LSP)

**SUPPLEMENTAL DECLARATION OF
DUANE L. LOFT IN SUPPORT OF
QUALCOMM'S MOTION TO TRANSFER**

**NO ORAL ARGUMENT UNLESS
REQUESTED BY THE COURT**

Date: June 2, 2008
Time: 11:00 a.m.
Judge: Hon. William O. Hayes

22 I, DUANE L. LOFT, declare under penalty of perjury as follows:

23 1. I am associated with Cravath, Swaine & Moore LLP, counsel for Defendant
24 Qualcomm Incorporated (“Qualcomm”) in the above-captioned action. I am a member of the bar
25 of the State of New York and have been appointed pro hac vice to appear before this Court in this
26 action. I submit this supplemental declaration in support of Qualcomm’s Motion to Transfer
27 pursuant to 28 U.S.C. § 1404(a).

28 //

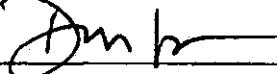
1 2. I also represent Qualcomm in the action captioned *Broadcom Corp. v. Qualcomm*
2 *Inc.*, No. 05-CV-3350 (D.N.J.) (the "NJ Action"), and have personal knowledge of the following.

3 3. On July 1, 2005, Broadcom Corporation ("Broadcom") filed its initial complaint in
4 the NJ Action and, on September 19, 2005, filed its First Amended Complaint, a true and correct
5 copy of which is attached hereto as Exhibit 1.

6 4. Attached hereto as Exhibit 2 is a true and correct copy of a letter dated July 11,
7 2005, sent by counsel for Broadcom to the Honorable John W. Bissell, Chief Judge of the United
8 States District Court for the District of New Jersey, concerning the NJ Action.

9 I make this Declaration based upon my own personal knowledge and, if called upon as a
10 witness, would testify competently to the matters stated herein.

11 I declare under the penalty of perjury under the laws of the United States of America that
12 the foregoing is true and correct and that this Declaration was executed on May 23, 2008, in New
13 York, New York.

14 
15 DUANE L. LOFT

16
17
18
19
20
21
22
23
24
25
26
27
28